

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RONALD J. SMITH,)	
)	C.A. No. 05-119 (SLR)
Plaintiff,)	
)	
v.)	
)	
E.I. DUPONT de NEMOURS & COMPANY,)	
a Delaware Corporation,)	
)	
Defendant.)	

**MOTION TO EXTEND TIME FOR FILING RESPONSE TO MOTION TO DISMISS
AND ANSWERING BRIEF**

Plaintiff, Ronald J. Smith, by and through his undersigned counsel, hereby moves this Court for an extension of time to file a response to the Motion to Dismiss filed by Defendant, E.I. DuPont de Nemours and Company, and an answering brief in support of his response to the Motion to Dismiss based on the following:

1. Plaintiff, Ronald J. Smith, filed a Complaint on February 28, 2005; and, Defendant, E.I. DuPont de Nemours and Company, filed a Motion to Dismiss and Opening Brief in Support of its Motion to Dismiss on April 29, 2005.
2. Plaintiff wishes to file a response to Defendant's Motion to Dismiss and an answering brief in support of his response; however, the time period for filing a response and answering brief pursuant to Fed. R. Civ. P. 7.1.2(a) has expired.
3. Counsel for Plaintiff has not filed a response nor answering brief to date as Counsel was attempting to contact alternate counsel to represent Plaintiff in this matter.

WHEREFORE, Plaintiff prays that the Court grant Plaintiff an extension of time for filing a response to Defendant's Motion to Dismiss and an answering brief in support of his response.

BERKOWITZ, SCHAGRIN & COOPER, P.A.

BY: 

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DATED: 5/18/05

CERTIFICATE OF SERVICE

I, GERALD Z. BERKOWITZ, ESQUIRE, hereby certify that on this 19 day of May 2005, two copies of the foregoing Motion for Extension of Time for Filing Response to Motion to Dismiss and Answering Brief were served by hand deliver upon the following individual at the address indicated below:

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